

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WINDOWMASTER CORP., et al.,)	
Plaintiff,)	
v.)	
)	No. 85 C 8998
MORSE/DIESEL, INC., et al.,)	
Defendants.)	

RUSH PRESBYTERIAN ST. LUKE'S)	
MEDICAL CENTER,)	
Plaintiff,)	
v.)	
)	No. 87 C 2854
SAFECO INSURANCE COMPANY)	
OF AMERICA., et al.,)	
Defendants.)	

MOTION FOR REVIVAL OF JUDGMENT

Counter-claimant Plaintiff, Safeco Insurance Company of America ("Safeco"), by and through its attorneys, John E. Sebastian and V. Brette Bensinger of the law firm Hinshaw & Culbertson LLP respectfully moves this court to revive the judgment previously entered in this action, and as grounds therefor states as follows:

1. Judgment in this action was entered against the counter claim defendants, Windowmaster Corp., Nathan Walberg, individually, and Bernice Walberg, individually(collectively referred to as the "Defendant"), on October 3, 1990 in the amount of \$1,000,000.00 in favor of Safeco on Safeco's counter-claim (See copy of order and consent judgment attached hereto as Exhibit "A").

2. The judgment remains fully unsatisfied after seventeen (17) years from the date of the original judgment.

3. This Court renewed Safeco's judgment on March 9, 1999.

4. Safeco has made reasonable and diligent efforts to recover the judgment against the counter claim defendants, however, pursuant to the terms of the Settlement Agreement, at this time, the Defendants are not in breach of that settlement and as such, the judgment should remain in place.

5. There is no just cause why the judgment in this action should not be revived and execution issued thereon.

6. The Defendants' attorney has been provided this motion and does not object to revival of Safeco's judgment.

WHEREFORE, Safeco Insurance Company of America respectfully moves this Court to enter an order reviving the judgment entered in favor of Safeco against Windowmaster Corp., Nathan Walberg, and Bernice Walberg, jointly and severally, together with such relief that this Court deems equitable and just.

**SAFECO INSURANCE COMPANY
OF AMERICA**

By: /s/ John Sebastian
One of Its Attorneys

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